REMARKS

I. Status of Claims

Claims 1- 4, 6-43, 45,46-49 and 51 are cancelled.

Claim 5 is amended. Support is found in at least paragraph [0018] of the specification.

Claims 5, 44 and 50 are being prosecuted.

II. Interview Summary

Participants on August 26, 2009, in a telephonic interview were:

Dr. Byron Anderson (Inventor)

Alice Martin (Applicant's Representative)

Christopher M. Gross (USPTO)

There were 3 topics discussed:

1. Should the language in claim 46 be merged into claim 5 and claim 46 cancelled?
2. Is there a better term for "plurality" in claim 5?
3. Is there support for "at least 68%" have at least 3 aromatic amino acids for tri-, tetra-, hexa-, and hepta-peptide libraries as there is for pentapeptides.

III. There is Support for "at least 68% Have at Least 3 Aromatic Amino Acids for Tri-, Tetra-, Hexa-, and Hepta-Peptide Libraries as There is for Pentapeptides

A. The inventor clearly included tri-, tetra-, hexa- and hepta-peptide libraries as well as pentapeptide libraries in the specification.

The specification supports the inventor's comments that the invention encompasses combinatorial libraries of from 3-7 amino acids in length (tripeptides to heptapeptides).

On page 2, para 006: "---comprising a sequence of three to seven D-amino acids residues---."

On page 2, para 008: "---where each D-peptide comprises a sequence of from three to seven D-amino acid residues---."

On page 3, para 14: "It is envisioned that libraries of short peptides ranging from three to seven amino acids in length ---."

On page 4, para 0015: "For libraries having three to seven amino acid residues---."

On page 5, para 0020: "Suitably, a D-peptide according to the present invention comprises a sequence of from three to seven D-amino acid residues in length, which sequence

comprises at least two aromatic D-amino acid residues. More suitably, the sequence comprises at least three or four aromatic D-amino acid residues."

Page 32, original claim 5: "A library comprising a plurality of D-peptides, wherein each D-peptide comprises from three to seven D-amino acids residues ---."

B. Two Experts Submit Declarations Under 37 C.F.R. 1.132 in Support of the Invention

In answer to the examiner's remaining concerns about the scope of claim 5, Dr. Darlak and Dr. Martin submit Declarations (Exhibits A and B) in support of the inclusion of peptide libraries of length 3-7 amino acids, that fulfill the requirement "at least 68%", have "at least 3 aromatic amino acids."

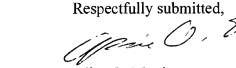
Dr. Darlak testifies that he actually made a pentapeptide library under Dr. Anderson's direction and control. He agrees with Dr. Anderson's calculations and presents his opinion of the importance of the invention.

Dr. Martin further explains how libraries of different length would be constructed, based on the teachings in the specification and what is known in the art. She presents her opinion on the importance of an invention.

IV. Conclusion and Summary

Applicant thanks the examiner for withdrawing previous rejections, and requests allowance of the pending claims. If necessary, another interview is requested. Please charge any deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number (45240-105719).

Respectfully submitted,



Alice O. Martin
Registration No. 35,601

Date: August 28, 2009
Barnes & Thornburg LLP
P. O. Box 2786
Chicago, IL 60690-2786

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